

EX PARTE OR LATE FILED
THE LAW OFFICES OF
MICHAEL R. GARDNER, P.C.

ATTORNEYS AT LAW
1150 CONNECTICUT AVENUE, N.W.
SUITE 710
WASHINGTON, D.C. 20036
(202) 785-2828
FAX (202) 785-1504

DOCKET FILE COPY ORIGINAL
RECEIVED

JUN 1 1995

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

May 31, 1995

By Hand

Chairman Reed E. Hundt
Commissioner James H. Quello
Commissioner Andrew C. Barrett
Commissioner Susan Ness
Commissioner Rachelle B. Chong
Federal Communications Commission
Washington, DC 20056

Re: Local Multipoint Distribution Service
CC Docket No. 92-297, Ex Parte Presentation

Dear Chairman and Commissioners:

Enclosed, on behalf of the diverse parties listed below (the "Joint Parties"), is a revised proposed band segmentation plan that will allow the Commission to conclude its deliberations by licensing the Local Multipoint Distribution Service ("LMDS"), Fixed Satellite Service ("FSS") and Mobile Satellite Service ("MSS") in a manner which accommodates all of the important competing services seeking spectrum allocations in the 28 GHz band. Unlike a prior proposal, this plan is not dependent upon the sharing of additional spectrum currently assigned to the federal government. Moreover, by the Commission's prompt adoption of the enclosed plan, which provides 1650 MHz for satellite use on a primary or co-primary basis, numerous important public and commercial interests will be simultaneously advanced, including:

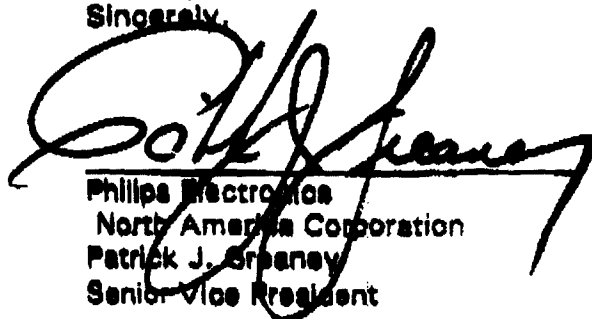
- maximizing efficient use of the spectrum by immediately accommodating the needs of several new technologies;
- the immediate nationwide licensing of LMDS, and the auctioning of spectrum allocated for LMDS, which is expected to generate billions of dollars in federal deficit-reducing revenue;
- ensuring the prompt allocation of suitable feeder link spectrum for Motorola's IRIDIUM system, an MSS system which has been licensed by the Commission and is poised for deployment;
- the advancement of several proposed FSS systems, including yet-to-be licensed systems proposed by Hughes Communications Galaxy, Inc. and Teledesic Corporation; and
- the sound formulation of the U.S. strategy for the upcoming WRC-95 Conference, which must be finalized by July 1, 1995.

No. of Copies rec'd
List A B C D E

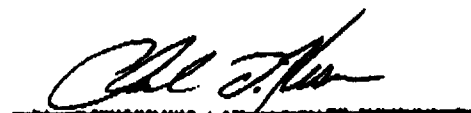
022

Letter to Chairman Hundt and Commissioners
May 31, 1995
Page 2

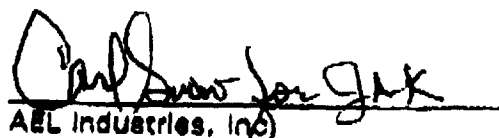
Sincerely,




Philips Electronics
North America Corporation
Patrick J. Greeney
Senior Vice President




M/A-COM, Inc.
Charles D. Kissner
Vice President & General Manager




AEL Industries, Inc.
Joe Klepchick
President
Microwave Antenna Division




Titan Information Systems
Frederick L. Judge
President & Chief Executive Officer



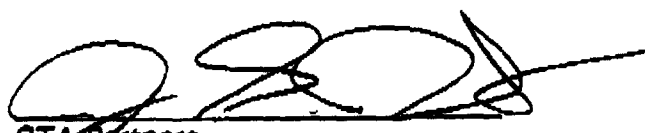
dm-Tech, Inc.
Charles S. Brand, President




Logimetrics, Inc.
Murray H. Feigenbaum
President




Darin Technologies
Drake Darrin
President



CTA Partners
Jason S. Priest
President

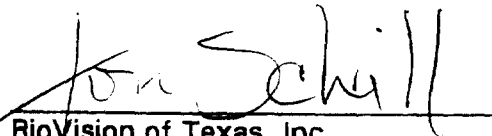


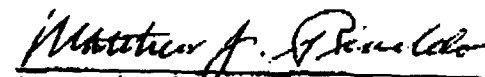
Cellular Vision Technology &
Telecommunications, L.P.
Shant Hovnanian
President

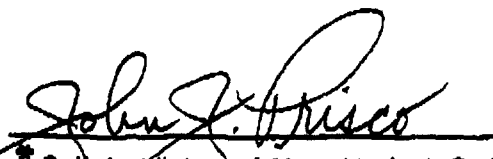


Bell Atlantic Corporation
Brian D. Oliver
Vice President
Corporate Development

Letter to Chairman Hundt and Commissioners
May 31, 1995
Page 3


RioVision of Texas, Inc.
Jon Schill
President


International Cellular Vision
Association
Matthew J. Rinaldo
President


* Cellular Vision of New York, L.P. ("CVNY")
John J. Prisco
President

* John Prisco, President of CVNY, and on behalf of CVNY's Board of Directors, the only commercially licensed LMDS system in the United States, supports the Joint Parties band segmentation plan, conditional on the Commission's grandfathering of CVNY's 27.5-28.5 GHz commercial multi-cell license, with a full-term license renewal.

Enclosure

cc	William F. Caton	Gregory Roseton
	Blair Levin	Amy Lesch
	Karen Brinkmann	Scott Blake Harris
	Lauren J. Belvin	Thomas Tycz
	Rudolfo M. Baca	Jennifer Gilaenen
	Lisa B. Smith	Donna L. Bethea
	Jane Mago	Regina Keeney
	Jill Luokett	Gerald P. Vaughan
	James Casserly	Laurence Atlas
	David R. Siddall	Robert James
	Mary P. McManus	Susan E. Magnotti
	Robert M. Pepper	Michael J. Marcus
	Donald H. Gips	

Joint Parties 28 GHz Proposal

REVISED 5/31/95

27.5-28.0	28.0-28.35	28.35-28.5	28.5-28.85	28.85-29.1	29.1-29.25	29.25-29.5	29.5-30.0
LMDS (Primary)	LMDS (Primary)	LMDS LEO (Co-primary) ¹	LEO (Primary)	GEO (Primary)	MSS (Motorola) LMDS (Co-primary)	MSS (Motorola/TRW) GEO (Co-primary)	GEO (Primary)
GEO or LEO (Secondary) ²	GEO or LEO (Secondary) ²		LMDS (Secondary) ²	LMDS (Secondary) ²		LMDS (Secondary) ²	

GEO = Hughes, Loral, etc.

LEO = Teledesic

¹ The LMDS blocks, 27.5-28.0, 28.0-28.35 and 28.35-28.5, will be auctioned individually, but can be aggregated by a single licensee. The 28.35-28.5 block, however, also is available to LEO on a co-primary basis.

² Secondary services permissible to the extent they do not cause harmful interference to primary services. Moreover, the secondary service cannot be operational before a fixed date when the primary service is expected to be operational.